

Declaration, Power of Attorney, and Petition

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name,
I believe I am original and first inventor of the subject matter which is claimed and for which a utility
patent is sought on the invention entitled: **COMPOSITIONS CONTAINING PROBIOTICS AND
POLYSACCHARIDES AND METHODS OF USE**, the specification of which (*check one*)

☒ is filed herewith; or

☐ was filed on _____ as Application Serial No. _____; or

PCT FILED APPLICATION ENTERING NATIONAL STAGE

☐ was described and claimed in International Application No. _____ filed
on _____ and as amended on _____ (if
applicable).

I hereby state that I have reviewed and understand the contents of the above identified
specification, including the claims, as amended by any amendment referred to above, and that it
contains a full, clear, concise and exact description of the subject matter for which a patent is sought.

I acknowledge the duty to disclose information which is material to the examination of
this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

Prior Application(s)

☐ (Check if applicable) I hereby claim foreign priority benefits under Title 35, United
States Code § 119, by checking the box(es) below, any foreign application(s) for patent or inventor's
certificate, or PCT International application having a filing date before that of the application on which
priority is claimed and hereby incorporate the entire contents of which herein by reference:

Prior Foreign Application(s)

| | | | |
|----------|-----------|----------------------|---|
| | | | Priority Claimed? |
| _____ | _____ | _____ | <input type="checkbox"/> <input type="checkbox"/> |
| (Number) | (Country) | Day/month/year filed | Yes No |

☐ (Check if applicable) I hereby claim the benefit under Title 35, United States Code,
§ 119(e) of any United States provisional application(s) listed below:

Prior Provisional Application(s)

| | |
|----------------------|---------------|
| _____ | _____ |
| (Application Number) | (Filing Date) |

(Note: When the nonprovisional application is entitled to an earlier U.S. effective filing date of one or
more provisional applications under Title 35, United States Code § 119(e), a statement such as "This

application claims the benefit of U.S. Provisional Application No. _____, filed _____, and U.S. Provisional Application No. _____, filed _____." should appear as the first sentence of the description. In view of this requirement, the right to rely on a prior application may be waived or refused by an applicant by refraining from inserting a reference to the prior application in the specification of the later one.)

☐ (Check if applicable) I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s)

(Application Serial No.)

(Filing Date)

(Status)

☒ (Check if applicable) I hereby authorize the U.S. attorneys or agents named herein to accept and follow instructions from Jarrow Formulas, Inc. as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys or agents named herein and ourselves. In the event of a change, I will notify in writing the U.S. attorney or agent named herein.

☐ (Check if applicable) In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the attorneys whose names are associated with United States Patent and Trademark Office Customer Number 21832:

Mark D. Giarratana, Reg. No. 32,615
Eric E. Grondahl, Reg. No. 46,741
Bryan Zerhusen, Reg. No. 54,566
Mark Steinberg, Reg. No. 40,829
Basam E. Nabulsi, Reg. No. 31,645


of the firm of McCarter & English, whose address is CityPlace I, 185 Asylum Street, Hartford, CT 06103, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all written correspondence to the address associated with United States Patent and Trademark Customer Number 21832:

Eric E. Grondahl
McCarter & English
CityPlace I
185 Asylum Street
Hartford, CT 06103

Telephone Calls should be directed to Eric E. Grondahl, by dialing (860) 275-6704.

Wherefore I pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

| | |
|------------------------------|---|
| Full name of first inventor: | <u>Peilin Guo</u> |
| Residence: | <u>17028 Steven Street, Gardena, CA 90247</u> |
| Citizenship: | <u>United States</u> |
| Post Office Address: | <u>1824 S. Robertson Blvd., Los Angeles, CA 90035</u> |
| Inventor's signature | <u></u> Date: <u>2/15/04</u> |

END OF LISTING OF INVENTORS